

Mr. SPEAKER.—Half an hour extra. If the House so desires, we will close the debate on the Andhra Bill now and continue it tomorrow.

Sri A. BHEEMAPPA NAIK.—It may be done.

Mr. SPEAKER.—This discussion will continue tomorrow. Now Question No. 294 by Sri K. Puttaswamy.

DISCUSSION ON MATTER ARISING OUT OF QUESTION No. 294.

PERMISSION GRANTED TO SRI MADHAVAKRISHNAIYA TO ENCLOSE LAND CONTAINING PUBLIC ROAD AND SEWER.

*ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ (ಶ್ರೀರಂಗಪಟ್ಟಣ).—ಅಧ್ಯಕ್ಷರೇ, ಈ 294ನೆಯ ಪ್ರಶ್ನೆ ಬೆಂಗಳೂರು ನಗರದಲ್ಲಿ ಟಿ. ಆರ್. ಮಿಲ್ಲಿಗೆ ಮಾಲೀಕರಾದ ಮಾಧವ ಕೃಷ್ಣಯ್ಯನವರಿಗೆ, ಇದುವರೆಗೆ ಸಾರ್ವಜನಿಕರು ಉಪಯೋಗಿಸುತ್ತಿದ್ದ ರಸ್ತೆಯನ್ನು ಆ ಮಿಲ್ಲಿನ ಅವರಣಕ್ಕೆ ಸೇರಿಸಿಕೊಳ್ಳುವ ಅವಕಾಶವನ್ನು ಕೊಟ್ಟ ವಿಚಾರಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಪ್ರಶ್ನೆ ಯಾಗಿದೆ. ಈ ರಸ್ತೆ ಕೆಂಪಾಂಬುಧಿ ಕೆರೆಗೆ ಹೋಗುವ ರಸ್ತೆ. ಆ ಮಿಲ್ಲಿನ ಆಕಡೆ ಕೆಂಪಾಂಬುಧಿ ಕೆರೆಯ ಕಡೆಗೆ 15 ಮನೆಗಳೂ ಮತ್ತು ಒಂದು ದೇವಸ್ಥಾನವೂ ಕೂಡ ಇದೆ. ಹೀಗಾಗಿ, ಈ ರಸ್ತೆ ಸಾರ್ವಜನಿಕ ಉಪಯೋಗದಲ್ಲಿದ್ದು, ಅಲ್ಲಿ ವ್ಯವಸಾಯಕ್ಕೆ ಉಪಯೋಗವಾಗುತ್ತಿದ್ದ ಜಮೀನ್ದಾರಿ ಮಾಧವ ಕೃಷ್ಣಯ್ಯನವರು ಕೊಂಡುಕೊಂಡು ಅಲ್ಲಿ ಮಿಲ್ಲನ್ನು ಕಟ್ಟಿ ಆ ರಸ್ತೆಯನ್ನು ಮಿಲ್ಲಿನ ಅವರಣಕ್ಕೆ ಸೇರಿಸಿಕೊಳ್ಳುವ ಪ್ರಯತ್ನವನ್ನು ಹಿಂದೂಮೈ ಮಾಡಿದರು. ಈ ವಿಚಾರ ಸರ್ಕಾರಕ್ಕೆ ಪರ್ಯಾಯವಾಗಿದೆ ಬಂದು 19-12-1951 ರಲ್ಲಿ ಸರ್ಕಾರದವರು ಆ ಬಗ್ಗೆ ಒಂದು ಅಪೀರ್ ಆರ್ಡರನ್ನು ಮಾಡಿದರು. ಆ ಆರ್ಡರಿನ ಪ್ರಕಾರ ಈ ಸಾರ್ವಜನಿಕ ರಸ್ತೆಯನ್ನು ಮುಚ್ಚಿ ಕೂಡದಂತಲೂ ಸುಮಾರು 40 ಅಡಿ ಅಗಲವಿರುವ ಒಂದು ರಸ್ತೆಯನ್ನು ಅಲ್ಲಿ ಬಿಡಬೇಕೆಂತಲೂ ಹೇಳಿ ಆ ಸರ್ಕಾರಿ ಆರ್ಡರಿನಲ್ಲಿ ನಮೂದಾಗಿತ್ತು.

ಅಲ್ಲದೆ ಈ ರಸ್ತೆಯ ಪ್ರದೇಶದಲ್ಲಿ ಒಂದು ಒಳಚರಂಡಿಯೂ ಇದೆ. ಈ ಒಳಚರಂಡಿಯನ್ನು ಬೇರೆ ಕಡೆ ಮಾಡಬೇಕಾದರೆ ಲಕ್ಷಾಂತರ ರೂಪಾಯಿಗಳ ವೆಚ್ಚ ಬೆಂಗಳೂರು ನಗರದ ಕಾರ್ಪೊರೇಷನ್‌ಗೆ ತಗಲುತ್ತದೆಂಬ ಸಮಾಚಾರವನ್ನು ಮಂತ್ರಿಗಳು ಈ ಪ್ರಶ್ನೆಗೆ ಉತ್ತರಕೊಡುವಾಗ ಒಪ್ಪಿಕೊಂಡಿದ್ದಾರೆ. ಅದೊ ಅಲ್ಲದೆ high tension wire ಕೂಡ ಅಲ್ಲಿಯೇ ಹೋಗುತ್ತದೆ. ಈ ಎರಡು ವಿಚಾರಗಳನ್ನೂ ಸರ್ಕಾರದವರು ಮನಗಂಡೇ ಹಿಂದೆ ಸರ್ಕಾರದ ಮೂರು ಜನ ಮಂತ್ರಿಗಳು ಪರಿಶೀಲನೆಮಾಡಿ, ನಗರಾಧ್ಯಕ್ಷರೊಡನೆ ಆಲೋಚನೆ ಮಾಡಿ ಪಾರಸಭೆಯ ಅಧ್ಯಕ್ಷರನ್ನೂ ಕಾರ್ಪೊರೇಷನ್ ಮೇಯರನ್ನೂ ಕೇಳಿ ಒಂದು ಅಪೀರು ತೀರ್ಮಾನವನ್ನು ಕೊಟ್ಟರು. ಈ ಆರ್ಡರು

19-12-1951ರಲ್ಲೇ ಆಗಿದ್ದರೂ, ಆ ಸರ್ಕಾರದ ಆರ್ಡರನ್ನು ತಡೆಗೆ ಕಳೆದ ವರ್ಷ ರದ್ದುಮಾಡಿ ಬೇರೆ ಆರ್ಡರನ್ನು ಸರ್ಕಾರದವರು ಮಾಡಿದ್ದಾರೆ. ಆ ರೀತಿ ಆರ್ಡರು ಬದಲಾವಣೆಯಾದ ಮೇಲೆ ಪ್ರೊಪ್ರೈಟರಿಗಳಾದ ಮಾಧವಕೃಷ್ಣಯ್ಯನವರು ರೈಸೆನ್ಸ್ ಕೂಡ ಪಡೆಯದೆ ಆ ರಸ್ತೆಯನ್ನು ಮಿಲ್ಲಿನ ಅವರಣಕ್ಕೆ ಸೇರಿಸಿಕೊಂಡಿದ್ದಾರೆ ಈ ಪ್ರಶ್ನೆ ಹಾಕಿದಾಗ ಮಂತ್ರಿಗಳು ಒಂದು ವಿಚಾರ ಹೇಳಿದರು. 41 ಜನ ಕಾರ್ಪೊರೇಷನ್ ಸದಸ್ಯರು ರುಜು ಹಾಕಿ ಆ ರಸ್ತೆಯನ್ನು ಅವರಿಗೆ ಕೊಟ್ಟಿದ್ದರಲ್ಲಿ ತಮ್ಮ ದೇವಾಲಯದ ಮೇಲಿಂದ ಹೇಳಿ ಅರ್ಜಿ ಕೊಟ್ಟಿದ್ದರಿಂದ ತಿಳಿಸಿದರು. ಕಾರ್ಪೊರೇಷನ್ ಕೆಲವು ಸದಸ್ಯರು ಅದ್ವೈಯಲ್ಲವೆಂದು ಹೇಳಿ ಒಂದು ಕಾಗದ ಬರೆದು ಒಂದುವೇಳೆ ಕಳುಹಿಸಿದರೂ ಕೂಡ, ಅದೇ ಕಾನೂನುಬದ್ಧವಾದ ರೈಸೆನ್ಸ್ ಆಗುವುದಿಲ್ಲ. ಸರ್ಕಾರದವರೇ ಈ ರಸ್ತೆಯನ್ನು ಕೊಟ್ಟಿದ್ದರೂ ಕೂಡ ಆತನು ಕಟ್ಟಿಕೊಳ್ಳಬೇಕಾದ ರೈಸೆನ್ಸ್ ಪಡೆದು ಕಟ್ಟಬೇಕೇ ಹೊರತು ಇಲ್ಲದಿದ್ದರೆ ಆಗುವುದಿಲ್ಲ. ಮಂತ್ರಿಗಳು ಹೇಳಿದ ಪ್ರಕಾರ ನೋಡುವುದಾದರೆ, ಕಾರ್ಪೊರೇಷನ್ ಸದಸ್ಯರು ಕೆಲವರು ಹೇಳಿದರೇನೇ ಸಾಕು, ರೈಸೆನ್ಸ್ ಪಡೆಯಬೇಕಾಗಿಲ್ಲವೆಂದು ಭಾಸವಾಗುತ್ತದೆ. ಅಲ್ಲದೆ ಕಾರ್ಪೊರೇಷನ್ ನ ಯಾವ ಯಾವ ಸದಸ್ಯರು ರುಜುಮಾಡಿ ಕಳುಹಿಸಿದ್ದರೆಂದೂ ಹೇಳಿದರೋ ಅವರ ಪೈಕಿಯೇ ವಿಚಾರಿಸಿದ್ದರಲ್ಲಿ ಆ ರೀತಿಯಾಗಿ ಯಾರೂ ರುಜು ಮಾಡಿಲ್ಲವೆಂದು ಹೇಳಿದರು. ಆದ್ದರಿಂದ ಕೆಲವು ಸದಸ್ಯರು ರುಜು ಹಾಕಿ ಕಳುಹಿಸಿದ್ದು ನಿಜವಾದ ರುಜುವೋ ಅಲ್ಲವೋ ಎಂಬ ಸಂಶಯ ಕೂಡ ಬರುತ್ತದೆ. ಈ ಎಲ್ಲ ದೃಷ್ಟಿಯಿಂದ ಇದು ಬಹಳ ಪ್ರಾಮುಖ್ಯತೆಯನ್ನು ಪಡೆದ ವಿಷಯವಾಗಿದೆ. ಅದರಲ್ಲಿ ಮೂರು ಜನ ಮಂತ್ರಿಗಳು ಹೋಗಿ ಸ್ಥಳ ಅಜಮಾಯಿಷಿಮಾಡಿ, ಅಲ್ಲಿನ ಜನರನ್ನು ಕೇಳಿ, ಕಾರ್ಪೊರೇಷನ್ ಮೇಯರನ್ನೂ ಕೇಳಿ ಪಾದವಿವಾದಗಳನ್ನು ಪರಿಗಣಿಸಿ, ಜೊತೆಗೆ ಪ್ರೊಪ್ರೈಟರಿಗಳ ಪರವಾದ ವಕೀಲರ ಪಾದವನ್ನೂ ಪರಿಗಣಿಸಿ ಆರ್ಡರ್ ಮಾಡಿದ್ದನ್ನು ಏಕಾ ಏಕ ಮಂತ್ರಿಗಳು ಕಾರ್ಪೊರೇಷನ್‌ಗೆ, ಟ್ರಸ್ಟ್, ಬೋರ್ಡ್‌ನಾಗಲಿ ಸಾರ್ವಜನಿಕ ಅಹವಾಲಾಗಲಿ ಗಮನಿಸದೆ ರದ್ದುಮಾಡಿ ಬೇರೆ ಆರ್ಡರನ್ನು ಮಾಡಿದರೆ, ಜನರಿಗೆ ಸರ್ಕಾರದವರು ಮಾಡುವ ಆರ್ಡರುಗಳ ವಿಚಾರದಲ್ಲಿ ಯಾವ ಒಂದು ಅಪೀರು ಭಾವನೆಯೂ ಬರುವುದಿಲ್ಲ. ಯಾವ ಆರ್ಡರನ್ನೂ ಪಡೆ ಪಡೆ ಬದಲಾವಣೆ ಮಾಡಬಹುದು ಎಂಬ ಭಾವನೆ ಉಂಟಾಗಿ ಜನರಿಗೆ ಸರ್ಕಾರದ ಆರ್ಡರುಗಳಲ್ಲಿ ನಂಬಿಕೆಯೇ ಕಳೆದುಹೋಗುತ್ತದೆ. ಇದು ಬಹಳ ಪ್ರಾಮುಖ್ಯವಾದ ವಿಚಾರವಾದ್ದರಿಂದ ಈ ನೂತನ ಯನ್ನು ಮಾಡಿದ್ದೇನೆ. ತಾವು ಇದಕ್ಕೆ ಅವಕಾಶ ಕೊಟ್ಟಿದ್ದಕ್ಕಾಗಿ ನಾನು ತಮಗೆ ಕೃತಜ್ಞನಾಗಿದ್ದೇನೆ.

Sri M. V. RAMA RAO (Tumkur).—Sir, this matter really pertains to the question which I had put to be answered during the last session of the Assembly and the answers that were furnished in reply to the supplementaries did not throw sufficient light on the justification for the revision of the previous Government Order. Therefore, I should like to state briefly and pointedly the particular aspects of this matter on which

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Government ought to make an explanation to this House. The points briefly are—if it is a fact as was admitted by the Hon'ble Minister who made the replies to my supplementaries that a panel of three Ministers of the previous Ministry who represented Government as much as three or lesser or greater number of . . .

Sri J. MOHAMED IMAM.—On a point of order, Sir. Rule 39 (5) states like this :

“There shall be no formal motion before the Assembly nor voting. The Member who has given notice may make a short statement and the Minister concerned shall reply briefly. Any Member who has previously intimated to the Speaker may be permitted to put a question for the purpose of further elucidating any matter of fact.”

According to this rule in our Rules of Procedure and Conduct of Business, only a Member who has given notice can make a statement and the Government can make a reply. Others cannot make statements. . . .

Mr. SPEAKER.—Under the rules, the Hon'ble Member has given notice and I have permitted him to speak.

Sri J. MOHAMED IMAM.—I am sorry, Sir. I did not know that he has given notice.

Sri M. RAJASEKHARA MURTHY (Yelandur).—Sir, as per procedure, he can only questions and cannot make a statement, Sir.

Mr. SPEAKER.—I know that. Just with a view to make the matter clear, instead of allowing him to put questions, I thought it would be more desirable to allow him to make a short statement so that the Hon'ble Minister may make a final reply. The last sentence in sub-rule 5 lays stress upon this fact that a Member may be permitted to put a question rather than make a statement.

Sri M. PALANIYAPPAN (Ulsoor).—Can this be a precedent, Sir ?

Mr. SPEAKER.—Yes.

Sri M. V. RAMA RAO.—I may assure the Hon'ble Members who raised the two points of order that I am fully acquainted with the procedure and conduct of business as laid down in the Rules. I hope that my friends will realise that a question may involve more points than one and a question is not restricted to raise a single point according to the text of the rule. But while I thank them for having been so careful about those rules, I must say that the time taken in deciding these points of order may kindly be taken out of the time allotted to me for formulating my question, which I may assure the House will not take more than five or six minutes.

The first thing that I wanted to point out to the Hon'ble Minister was that if it is true that a panel of three Ministers of the previous Ministry made an inspection of the locality and heard in Chambers counsel for Sri Madhava Krishnaiya, Proprietor of T.R. Mills and received representations from the public resident in the locality and then passed a considered order requiring a strip of land forty feet in width to be kept in reserve for public use in conformity with usage prevailing for a long time as had been represented to the Government satisfactorily, why was it considered sufficient or necessary by the Hon'ble the Minister for Local Self-Government who went there and said he made an inspection of the spot and received several representations from the owner of the Mill Sri Madhava Krishnaiya and others to which he made reference in the supplementaries answered on the occasion on which the question was put, to reverse the order which had been made by Government after adopting the very procedure that the present Ministry thought fit to follow ? That is the first point. Secondly, when a supplementary was put seeking to know whether the Hon'ble Minister was aware when he went to inspect the locality that there

were 12 houses situated in the locality which were cut off from having the usual access to the public street, the reply given was that he had not observed those 12 houses. Would the Minister inform the House what kind of inspection he made if he did not notice the 12 houses? This particular slip, before it was allowed to be enclosed, afforded access both to the street as well as to the road leading to the Kempambudhi Tank. Thirdly, the other important point that has been raised was in regard to the sewer pipe belonging to the Corporation of Bangalore. It had been laid down previously in this land and the Corporation had spent a considerable sum of money. Government also have spent some money in putting up street lights there for the use of the public. If Government considered in this second order that was made, that it was reasonable and just that this land should be allowed to be enclosed just to enable Sri Madhava Krishnaiya to have one entire block of land for his own private use, why was no account taken of the fact that considerable sums of money had been expended by responsible bodies like the Government and the Corporation for providing street-lights and laying the sewer pipe? Why was no reservation made when allowing this land to be enclosed in respect of the rights of the Corporation and the Government that they should have access to their own property? Sir, the Minister also said on the last occasion that no estimate whatever had been made or even contemplated for shifting the sewer pipes to other land which belonged either to the Corporation or to the Government. May I ask why Government found it necessary to be in such a hurry to make this particular order so as to enable one person, one particular citizen, to secure these advantages for himself while it was not sufficiently mindful of the general interests of the residents, of the public, of the Government, of the Corpora-

tion and of the moneys for the spending of which this Government is responsible?

*Sri T. CHANNIAH (Minister for Public Health and Local Self-Government).—Mr. Speaker, Sir, two Hon'ble Members have raised certain points on which I am expected to reply. Sir, before I reply, I wish to mention a few relevant facts on which this question arose. Sir, in the year 23-3-1934, one acre of land was sanctioned to T. R. Mills for locating their two mills. Again Sri Madhava Krishniah had applied for certain lands to Government on 28-5-1951 for the expansion of the mill. The application made in that behalf was for 5 acres and 34 guntas out of Survey No. 16 of Terikenahalli and 2 acres 13 guntas out of Survey No. 65 of Gavipur village. This area was also sanctioned to him on 28-5-1951. There was a subsequent revision by the Government on 19-12-1951 after this area was given to Sri Madhava Krishniah for the location of the mills. On 19-12-1951 the revision was made as suggested by my friends. The revision was to the effect that a road of 40 feet breadth should be formed along with this land. I want to mention here that there was no footpath along this land previously.

Sri R. ANANTARAMAN.—It is not correct.

Sri T. CHANNIAH.—The village map shows that there was a footpath north-east to south towards Kempambudhi Tank. There is a road also running from east to west in front of the mill which takes a deviation to the south at the western end of the Mills and goes to the burial ground from where it can be extended to the tank bed at a lower cost. Sir, my friends said that I was responsible for revising the orders of the previous Government made on 19-12-1951. Of course, I went and inspected the spot by myself on the representation made by Sri Madhava Krishniah and I found on my personal inspection of the spot that the separation of the mills into

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two blocks really created a lot of difficulties to the owner of the mills, one of the reasons being that it would break the compactness of the mill. He will have to meet additional expenditure because when a road passes through the mill separating it into two portions, he has to put up two compound walls, two gates and he has to keep additional watch and ward; there was the difficulty of transferring or transporting things from one mill to another and further it will not be conducive to compactness and safety. And also, Sir, in any industry or in any factory, from the point of view of safety, a road, dividing the area if formed, will create a lot of difficulties and troubles to the owner of the mill. So, there will be no safety to the labourers and also to the owner of the mill for preservation of articles and other materials in that area. So, I thought that in the interest of compactness, in the interest of the owner and in the interest of the labourer, a road in the midst of the mill is not necessary. Also, I thought, after my inspection, that the road along the sewage line will certainly involve a lot of expenditure because when it leads from the main road towards Kempambudhi Tank before it actually reaches the Tank bed, there is a deep pit and therefore to make the road there will involve a lot of expenditure; further it will not be a straight road also. Instead, if a road is diverted in front of the mill towards the burial ground, *i.e.*, Agrahar, if the road leads along that Agrahar, the cost involved will be very much less and also it will be the best. I have not suggested in my order whether the cost of sewage line would be met by the Government or by Sri Madhava Krishniah. I therefore, think that the sewage line instead of running in the midst of the factory should be diverted towards the burial ground and the road also diverted. The second thing I want to mention before this House is that my Hon'ble

friend Sri Rama Rao pointed out that the land did not belong to Sri Madhava Krishniah. All the land did belong to him and there was no necessity for him to have any acquisition proceedings to take place. It is merely a conversion of the land for another purpose and the right of conversion should lie with him. Therefore, he applied to Government and he got his mills expanded. After careful consideration of his representation, the Government reviewed the order passed by the Government on 19-12-1951. My Hon'ble Friend also said that there were about 12 houses in number and the Minister did not observe them and instead of allowing the land for the construction of the houses....

Sri M. V. RAMA RAO.—Those are not the things which I have said. I wish he had listened to what I had said. He has not touched any of the points I raised.

Sri T. CHANNIAH.—Of course, there was public agitation for reconsidering the Government Order allowing the conversion on the ground that a lay-out for dwelling houses has been made. It was also a fact that more than 40 members of the Corporation had signed that the lay-out is not necessary in that area.

Sri R. ANANTARAMAN (Chamarajpet).—It is incorrect.

Sri T. CHANNIAH.—Therefore, Sir, in the light of the agitation or recommendation by the Members of the Corporation, I thought that the application made by Sri Madhava Krishniah may be sanctioned and accordingly I considered very carefully that this sewage line may be diverted towards the burial ground and also the road diverted through some other way, so that it may involve least expenditure.

Sri K. PUTTASWAMY.—What was the opinion of the Corporation? And what was the second reason to set aside the orders passed by the predecessor Minister?

Mr. SPEAKER.—You have made a statement and the Minister has

made a reply. One of the pertinent questions raised by Sri M. V. Rama Rao is how the decision of the three Ministers who had made a spot inspection twice is set aside by one Minister. If the Hon'ble Minister is in a position to explain that, he may do so. Otherwise he may not.

12-30 P.M.

Sri T. CHANNIAH.—The order passed by the three Hon'ble Ministers is itself an order revising a previous order of Government in the same matter. I believe that order is a second or third order in revision.

Mr. SPEAKER.—Now discussion regarding Question No. 144.

Sri A. BHEEMAPPA NAIK (Molakalmuru).—No answer was given as regards the cost.

Mr. SPEAKER.—Nothing more can be given.

Sri K. HANUMANTHAIYA (Chief Minister).—I may state this for the information of the House. My friend Sri Bheemappa Naik has asked as to what would be the decision of Government regarding cost. We will examine the question.

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—Regarding Question No. 144, I am anxious to give latest and up-to-date information. I request that this may be taken up the day after tomorrow.

Mr. SPEAKER.—We have two other Questions to be discussed the day after tomorrow. If the House so permits,—it may not take much time—this may be taken up even tomorrow.

Sri A. G. RAMACHANDRA RAO.—Yes.

Mr. SPEAKER.—The House will now rise for the day and meet tomorrow at 8-30 A.M.

The House adjourned at Thirty-two Minutes past Twelve of the Clock to meet again at Thirty Minutes past Eight of the Clock on Thursday the 23rd July 1953.
